

Attorney's Docket No.: 10559/855001 / P17303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Valery M. Dubin

Art Unit : 2815

Serial No. : 10/671,322

Examiner : Jerome Jackson, Jr.

Filed : September 24, 2003

Title : NANOTUBES FOR INTEGRATED CIRCUITS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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JUL 01 2005DECLARATION OF VALERY M. DUBIN UNDER 37 C.F.R. § 1.131

I, Valery M. Dubin, currently residing at 5388 NW Lianna Way, Portland, OR 97229, do hereby declare as follows:

1. I am the inventor of the invention claimed in the above-identified patent application.
2. Prior to July 29, 2003, I invented the subject matter of the claims of this patent application while being an employee of Intel Corporation, currently having a place of business at 2200 Mission College Blvd., Santa Clara, CA 95052. At least as early as July 29, 2003, I conceived of and proceeded to diligently reduce to practice the invention claimed in the above-referenced patent application.
3. This is evidenced by a written invention disclosure, which was the basis of the above-referenced patent application, and which I prepared for submission to patent counsel at least as early as July 29, 2003. The invention disclosure contents describe the invention, and a redacted copy of the invention disclosure is included along with this declaration. The invention disclosure form itself is considered confidential to Intel Corporation, and each date on the form supports statement 2 above.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

Date of Transmission July 1, 2005Signature Typed or Printed Name of Person Signing Certificate Jeanne Armour-Rice

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4. The U.S. Patent Publication No. US 2004/0023514A1 cited by the U.S. Patent and Trademark Office is published from the U.S. Application 10/628,239 filed on July 29, 2003, which is the effective date for 35 U.S.C. 102(e). Therefore, the evidence and statement of facts described in this declaration provides a prima facie showing that the invention date of my claimed invention was at least prior to the effective priority date of the U.S. Patent Publication No. US 2004/0023514A1.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 6/18/05
Valery M. Dubin

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